

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Kristen Weber,) C/A No.: 4:23-5067-JD-KDW
)
)
Plaintiff,)
)
)
v.)
)
)
Sustainable Lighting Solutions,)
)
)
Defendant.)
)
)

ORDER

This employment matter is before the court on Plaintiff's Motion for Voluntary Dismissal of Action. (DE 70.) Plaintiff has informed the court that she seeks voluntary dismissal and asks that the court issue an order pursuant to Federal Rule of Civil Procedure 41(a)(2).¹ (*Id.*) Plaintiff notes that Defendant is not represented by counsel and that a Clerk's Entry of Default has been entered against Defendant after Defendant was advised that, as a corporate entity, it was not permitted to appear pro se. (DE 17, 23, 30, 31.) Defendant has asserted no counterclaims against Plaintiff. In seeking voluntary dismissal Plaintiff indicates that she "has learned that the Defendant Sustainable Lighting Solutions, LLC, has dissolved, is insolvent, and was not insured for the claims at issue in this case." (DE 70 at 1.) Plaintiff seeks the court's order dismissing "this action and all claims without prejudice, with each party to bear its own costs and attorneys' fees." (*Id.*)

Federal Rule of Civil Procedure 41(a)(2) provides that "an action may be dismissed at the plaintiff's request only by court order, on terms that the court

¹ Plaintiff's motion improperly cites to Federal Rule of Civil Procedure 40(a)(2). Rule 41(a)(2) is the applicable rule, however.

considers proper." Upon review, the court grants Plaintiff's Motion (DE 70) and hereby dismisses this action without prejudice.

IT IS SO ORDERED.



Joseph Dawson, III
United States District Judge

Florence, South Carolina
April 24, 2025

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.